## IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA STATESVILLE DIVISION 5:07cv104

LOWE'S COMPANIES, INC.,	)		
Plaintiff,	)		
Vs.	) )		ORDER
VARNELL, STRUCK AND ASSOCIATES, INC.; DAVID STRUCK; and JOHN VARNELL,	) )	)	
Defendants.	) )		

THIS MATTER is before the court on plaintiff's Motion to Seal Memorandum. Having considered plaintiff's motion and reviewed the pleadings, and the court having considered the factors provided by Local Civil Rule 6.1(c), and finding that such memorandum references certain documents produced by defendants that are subject to a confidentiality agreement and that such may well contain confidential business or trade secrets, the court enters the following Order.

## ORDER

IT IS, THEREFORE, ORDERED that plaintiff's Motion to Seal Memorandum (#34) is GRANTED, and plaintiff is allowed to file its Memorandum in Opposition (#35) under seal. The parties are advised, however, that the court anticipates issuing its Recommendation in a public format, and that orders sealing matters in this case are subject to further review and consideration by either the undersigned or the district judge to whom the case is assigned.

Signed: March 13, 2008

Dennis L. Howell United States Magistrate Judge